

## DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

FILE:

B-217233

DATE: December 18, 1984

MATTER OF:

Factech Corporation

## DIGEST:

Protest to GAO more than 10 days after agency notified protester that its proposal would not be considered is untimely.

Factech Corporation (Factech) protests the refusal by the Naval Avionics Center (Center) to consider its proposal under request for proposals No. N00163-84-R-1090 for a hook assembly.

Factech acknowledges that the Center notified it by letter dated October 23, 1984, that it would not be considered for award and the reasons therefor. We received Factech's protest on November 29, 1984.

Under our Bid Protest Procedures, protests must be filed with GAO no later than 10 working days after the basis for the protest is or should have been known, whichever is earlier. 4 C.F.R. § 21.2(b)(2) (1984). The term "filed" means receipt in our Office. Power Lift/Aero Industries, B-214053, Jan. 23, 1984, 84-1 CPD ¶ 106. Allowing a reasonable time for delivery of the Center's letter to Factech (7 days), the protest should have been received at GAO by November 14. Since Factech's protest was not received until November 29, it is dismissed.

*Harry R. Van Cleve*

Harry R. Van Cleve  
General Counsel

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